

The Regular Meeting of the Souderton Borough Council was called to order by President John U. Young at 7:30 p.m. Members of Borough Council present at the meeting included the following:

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| President John U. Young | Councillor J. Edward Hunsicker, Jr. |
| Councillor Andrew C. Schlosser | Mayor John R. Reynolds |
| Councillor Ned D. Leight | Junior Councillor Daniel Yocum |
| Councillor D. Jeffrey Gross | Solicitor Robert G. Bricker |
| Councillor Brian Goshow | Borough Manager P. Michael Coll |
| Councillor Jonathan Gardenier | Public Works Director Steven R. Coll |
| Councillor Richard Halbom | Chief Charles A. Quinn, Sr. |

Absent from the meeting was Councillor Katherine Grubb.

The Invocation was given by Councillor Richard Halbom, followed by the Pledge of Allegiance to the Flag.

Consideration was given to the minutes of the August 3, 2009, Regular Borough Council Meeting and the August Work Session. A motion was then made by Councillor Jonathan Gardenier, and seconded by Councillor J. Edward Hunsicker, Jr., to approve the minutes of August 3, 2009 Borough Council Meeting and the August Work Sessions as presented. The motion was approved.

There was no correspondence.

Councillor Jonathan Gardenier noted that he received correspondence from Brad Price of 402 East Broad Street requesting the Borough to consider a noise ordinance specifically concerning the mill and overlay project on East Broad Street that PennDOT specified to be completed through the night.

Mayor John Reynolds announced that the Univest Bike Race will be held on Saturday, September 12, 2009. Residents are reminded of road closures and detours. The amateur race will begin at 8:00 am and the professional race will begin at 10:30 am. The Mayor asked the community to be diligent with racers, volunteers and posted detours.

The Borough Solicitor's report for the month of August was distributed to Borough Council. This month they made final revisions to the HSROD amendments to the Zoning Ordinance and the Mixed Use amendments to the Subdivision Ordinance. They have started working on the documentation for the borrowing for the Cherry Lane Property. They had several telephone conversations with the Borough Manager regarding the Main Street parking lot project. They had a conference this Thursday with Judge Tressler regarding the Officer Lawson promotion appeal.

President John Young inquired on the status of the N. Fifth Street sewer main project. Steven Coll reported that North Penn water Authority is currently working on service connections to the new water main. All sewer main construction is completed along Fifth Street, with exception of the main running through a partially open alley behind the 500 block of East Broad Street. Trenches have been temporarily paved. Sidewalk repairs and a little storm drainage work remain before the road is milled and paved.

Councillor Brian Goshow questioned the status of the reconstruction of Lawn Avenue. Borough Manager Michael Coll noted that the contract has been executed with Blooming Glen Contractors and they are tentatively scheduled to begin work the week of September 21st.

President John Young questioned the schedule for East Broad Street. Steven Coll noted that the project was just posted on the TMA web site to begin milling on Thursday night, September 10th. Paving will be scheduled in approximately one week. Councillor Richard Halbom commented that it is important to note that the Borough had no input on the decision of PennDOT to require the completion of this project during the night. He also suggested that the Borough work as closely as possible with residents with moving of parked vehicles. The Borough Manager confirmed that notices were distributed to all residents and we suggested the use of the high school parking lots. The contractor expects to complete milling in one night and should be able to complete the paving within another night.

Borough Manager Michael Coll reviewed the agenda items scheduled for consideration. The first two agenda items concern the High School Redevelopment project. The first item is an ordinance amending the Souderton Borough Zoning Ordinance to create the High School Redevelopment Overlay District. The second ordinance is an amendment to the Souderton Borough Subdivision and Land Development Ordinance to establish master design guidelines for mixed use developments within the High School Redevelopment Overlay District. Both ordinances are based on the conceptual plans for the mixed use development of the site prepared by both the Borough's planning consultants and Metro Development Company. Metro Development Company and the Souderton School District have entered into a purchase agreement on the entire tract, 20 acres of which are in Souderton Borough and another 20 acres are located in Hilltown Township. A settlement date is tentatively scheduled for June, 2010 after completion of a due diligence period, whereby Metro Development Company has an opportunity to satisfy themselves that the required ordinances are in place and there is sufficient private sector interest in the retail market to support the project. The Hilltown site will contain the large anchor store and will be key to the development of the Souderton tract. The proposed ordinances are designed to mandate the village commercial center, types of uses, site amenities, pocket park developments, lighting, parking and impervious coverage. It is also important to understand that this is an overlay zoning district, adjoining properties will maintain their existing commercial or residential zoning. Two other ordinances have been advertised for formal consideration to withdraw the Borough's defined police and non-uniformed pension plans from the Pennsylvania Municipal Retirement System in favor of the establishment of self administered plans. The new pension consultants will be Trollinger Consulting Group, which is a company of Univest National Bank and Trust Company. Based on extensive cost studies, we believe that the Borough will be able to maintain the same or enhanced levels of benefits for the employees at a reduced annual cost. A resolution has been prepared for consideration authorizing the Borough application to the Delaware Valley regional Planning Commission to become a Classic Town of the Philadelphia region. This is a major marketing initiative coordinated through the efforts of Main Streets Manager Pam Coleman. There is a \$2,500 annual expense that will be shared with Telford Borough. Borough Council will be considering a new fee schedule, replacing the current schedule that was adopted in 2006. A two lot plan of subdivision is scheduled for consideration. The applicant is William Benner who proposes to subdivide an existing vacant tract in the 200 block of Fairview Avenue for the construction of a new twin dwelling. Borough Council will consider authorizing the Borough Solicitor to prepare and advertise an ordinance authorizing a \$1,000,000 general obligation loan for the purchase of the Scholl property at 160 Cherry Lane in Franconia Township. Borough Council will also consider authorization to advertise bids for the construction of a pavilion at the Lawn Avenue Park. An Executive Session is also planned to consult with the Borough Solicitor on contractual issues.

President John Young asked for a report from the Pool Committee. Borough Manager Michael Coll noted that the next committee meeting is scheduled for Wednesday, September 16th. The pool season officially ended on Labor Day and the swimming pool complex will remain closed through 2010. Pending completion of planned renovations, the Borough hopes to open the new facility on Memorial Day weekend in 2011. Significant planning work is ahead of use to meet this timeframe.

Consideration was given to paying the bills for the month of August, 2009

GENERAL FUND

| | | | |
|-----------------------------------|-----------|------------------------------------|----------|
| Accent Control Systems | \$161.80 | Chest-Mont Disposal, Inc. | \$709.50 |
| Clemens Uniform Rental | 41.76 | Farm & Home Oil Company | 832.70 |
| Fromm Electric Supply Corporation | 48.24 | Good, Inc. | 1,976.38 |
| Jaeger Electric Service, Inc. | 4,930.15 | MetLife | 1,675.84 |
| MetLife | 217.63 | Moyer & Son, Inc. | 1,948.37 |
| Nextel Communications | 219.74 | North Penn Water Authority | 75.51 |
| Richter Drafting/Office Supply | 489.58 | Scott Communications, Inc. | 68.87 |
| SEPTA | 400.00 | Shelly Enterprises, Inc. | 61.00 |
| Souderton-Telford Main Street | 11,250.00 | Univar USA Inc. | 2,612.50 |
| Altek Business Systems, Inc. | 364.65 | Markey Paper & Packaging, Inc. | 47.89 |
| Naceville Materials | 252.40 | AT&T | 58.07 |
| Barnside Farm Compost Facility | 165.00 | Comcast Cable | 42.95 |
| Cope's Garage, Inc. | 652.73 | Daniel L. Beardsley LTD | 380.20 |
| David A. Freed | 130.00 | Dischell Bartle Yanoff & Dooley PC | 172.50 |
| Dr. Larry J. Geller | 184.00 | Freedom Systems Corporation | 590.62 |
| Glasgow, Inc. | 70.00 | Good, Inc. | 91.25 |
| HISI | 4,089.00 | Indian Creek Foundation | 376.00 |

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| Marc F. Lipkin, D.M.D., P.C. | 212.00 | Michael C. Boraski, D.M.D. | 304.00 |
| Montgomery Newspaper | 877.47 | Moyer & Son, Inc. | 458.00 |
| Naceville Materials | 117.08 | P. Michael Coll | 285.00 |
| Pennsylvania One Call System | 48.10 | Peter I. Psomiadis, D.M.D. | 425.00 |
| Potty Queen | 293.00 | PPL Electric Utilities | 259.31 |
| Richter Drafting/Office Supply | 30.85 | Souderton Independent | 32.95 |
| Verizon | 196.56 | Word Work, Inc. | 540.00 |
| MetLife | 217.63 | PPL Electric Utilities | 3,045.05 |
| Suburban Water Testing Labs | 428.00 | Independence Blue Cross | 14,145.21 |
| Keystone Health Plan East | 5,777.22 | Petty Cash Fund | 131.01 |
| Postmaster, Telford/Souderton | 132.00 | Unum Insurance Company | 827.34 |
| AT&T | 25.73 | Clemens Uniform Rental | 225.23 |
| Detlan Equipment, Inc. | 17.99 | Highway Materials, Inc. | 465.20 |
| Kitson Bros., Inc. | 1,658.25 | Landis Block & Concrete | 26.50 |
| Lawson Products, Inc. | 225.04 | MetLife | 1,675.84 |
| North American Benefits Company | 945.13 | PPL Electric Utilities | 6,827.56 |
| Rodney Ellinger | 2,234.00 | Shelly Enterprise, Inc. | 9.98 |
| Trumbauers Lawn & Rec., Inc. | 325.74 | Univar USA Inc. | 2,494.12 |
| Weaver and Reckner Dental | 200.00 | Weldon Auto Parts | 43.07 |
| Bergey's, Inc. | 95.83 | Carl B. Stuart | 1,432.48 |
| Fry Communications, Inc. | 82.00 | Good, Inc. | 498.46 |
| Lansdale Police Department | 300.00 | Letterco | 112.50 |
| Maglocen | 400.00 | N.A.D.A. Appraisal Guides | 72.00 |
| NetCarrier Telecom, Inc. | 321.14 | Nextel Communications | 120.34 |
| Nyco Corporation | 20.32 | QC, Inc. | 457.50 |
| Richter Drafting/Office Supply | 361.49 | Styer Associates | 555.00 |
| Univest Visa | 254.00 | Verizon Wireless | 86.02 |

Total General Fund \$87,996.16

SEWER FUND

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|---------------------------------|-----------|-----------------------------------|----------|
| Ches-Mont Disposal, Inc. | \$90.75 | MetLife | \$82.21 |
| Moyer & Son, Inc. | 308.91 | North Penn Water Authority | 205.30 |
| PPL Electric Utilities | 15,686.32 | Hajoca Corporation | 357.95 |
| Nyco Company | 26.92 | Postmaster Telford/Souderton | 888.86 |
| Comcast Cable | 42.95 | Eastern Diversified Service | 170.00 |
| Farm Bureau Garage, Inc. | 126.84 | Filter Belts | 748.00 |
| HISI | 1,082.00 | Jaeger Electric Service, Inc. | 180.00 |
| K.J. Door Service, Inc. | 525.00 | Lawson Products, Inc. | 203.48 |
| PPL Electric Utilities | 460.64 | PYRZ Water Supply Co., Inc. | 5,149.00 |
| Siemens Water Technologies | 2,259.43 | Siemens Water Technologies | 172.50 |
| Suburban Water Testing Labs | 73.00 | Verizon | 57.15 |
| Freedom Systems Corporation | 590.63 | MetLife | 82.21 |
| Independence Blue Cross | 113.10 | Independence Blue Cross | 3,838.17 |
| Keystone Health Plan East | 2,235.00 | Unum Insurance Company | 246.75 |
| Bearings & Drives Unlimited | 690.28 | Daniel L. Beardsley LTD | 52.50 |
| Environmental Machine/Services | 432.00 | EPWPCOA, Inc. | 80.00 |
| EPWPCOA, Inc. | 370.00 | Fisher Scientific | 322.73 |
| Independence Blue Cross | 207.65 | Lawson Products, Inc. | 184.22 |
| North American Benefits Company | 307.60 | North Penn Water Authority | 50.00 |
| Univar USA Inc. | 5,797.09 | Waste Management of Indian Valley | 7,975.73 |
| D & M Machine, Inc. | 421.00 | Lawson Products, Inc. | 75.57 |
| Richter Drafting/Office Supply | 138.25 | State World Headquarters | 310.51 |
| Suburban Water Testing Labs | 52.00 | | |

Total Sewer Fund \$53,470.20

CAPITAL RESERVE FUND

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|----------------------------|----------|-------------------------|----------|
| Commonwealth Precast, Inc. | \$510.00 | Glasgow, Inc. | \$210.00 |
| Hajoca Corporation | 2,969.00 | Landis Block & Concrete | 321.18 |
| Moyer & Son, Inc. | 39.10 | Scott A. Seifert | 3,555.00 |

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| Univest National Bank | 5,611.21 | Univest National Bank | 21,841.49 |
| Boucher and James, Inc. | 12,514.10 | DePallo Design & Planning, LLC | 6,101.20 |
| Landscape Designs, Inc. | 4,770.00 | Naceville Materials | 614.13 |
| Total Capital Reserve Fund | | | \$59,079.37 |

LIQUID FUELS FUND

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|----------------------------|---------|------------------------------|------------|
| Fromm Electric Supply Corp | \$40.50 | PPL Electric Utilities | \$219.83 |
| PPL Electric Utilities | 221.42 | Armour & Sons Electric, Inc. | 293.11 |
| Letterco | 293.11 | PPL Electric Utilities | 165.95 |
| Total Liquid Fuels Fund | | | \$1,237.37 |

SANITARY SEWER CAPITAL FUND

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|-----------------------------------|------------|----------------------------|-------------|
| Norris Sales Company Incorporated | \$1,763.50 | Commonwealth Precast, Inc. | 422.00 |
| Cronin North America | 38,750.00 | Hajoca Corporation | 4,515.27 |
| M & M Stone Company | 45.00 | | |
| Total Sanitary Sewer Capital Fund | | | \$45,495.77 |

A motion was made by Councillor Ned D. Leight, and seconded by Councillor Brian Goshow to pay the bills for the month of August, 2009, as presented. The motion was approved.

President John U. Young opened the floor for public comment.

Richard Burns, 650 East Broad Street, questioned the impact of the proposed overlay district on the properties located on the south side of East Broad Street. Borough Manager Michael Coll replied that planning and legal consultants recommended that the proposed overlay zoning district follow the same boundaries established in the Borough's Economic Redevelopment Plan, which is another separate planning project. Properties on the south side of East Broad Street will maintain the existing C-1 Commercial zoning. Redevelopment of the High School property is likely to include certain streetscape improvements and traffic studies will be required to address existing and potential traffic issues associated with the development. Other potential economic benefits to surrounding and adjoining properties will depend on the size and scope of a proposed project.

Mark Cubranich, 569 East Broad Street, expressed concern with the current condition and future maintenance of the high school property. Borough Manager Michael Coll replied that the Souderton School District will continue to own the property through June, 2010. Borough Council is very much concerned that this large parcel and building will remain vacant for the next year. Councillor Goshow commented that he has discussed this matter with Superintendent Dr. Charles Amuso and the School Board and Metro Development Company are working out the details of a maintenance agreement through this interim period. The Borough Manager will contact Dr. Amuso on the status of this maintenance agreement.

Christopher Mills, 178 N. County Line Road, inquired whether the off site improvements associated with the high school redevelopment project will extend northward on County Line Road to Central Avenue. Borough Manager Michael Coll commented that the extent of work will be determined as the land development planning process unfolds. Traffic studies and PennDOT reviews will determine the required work, but this data is not available at this time to specifically answer the question. Mr. Mills also echoed concerns about the maintenance of the high school property.

John Conchran, 305 E. Chestnut Street, questioned the recent storm drainage work that was completed in the front yard of a property in the 400 block of East Chestnut Street and whether this work will be extended through their property. The Borough Manager explained that the Borough replaced a section of deteriorated storm drainage pipe that ran through the front yard of that property, however, this storm drain line transitions into a concrete box culvert that is situated under the sidewalks in the 300 block of east Chestnut Street. This section of culvert was previously rehabilitated and the sidewalk forms the actual top of the culvert. No further work will be necessary in this area.

There being no further public comment, President John Young then moved to the business portion of the agenda, starting with the formal consideration of the Zoning Ordinance amendment to create the High School Redevelopment Overlay District. Councillor Jonathan Gardenier questioned

whether the definition section should also include definitions for Village Center, elderly and assisted living facilities. Councillor Gardenier also questioned where the requirement for rear loaded driveways is located for the proposed townhouses.

A motion was made by Councillor J. Edward Hunsicker, Jr., and seconded by Councillor Andrew C. Schlosser, to enact Ordinance No. 09-683-02 amending the Souderton Borough Zoning Ordinance No 405 of 1972, as amended, by adding certain definitions and adding Article XX, High School Redevelopment Overlay District. The motion was approved by a vote of 7 yeas to 1 nay. Councillor Jonathan Gardenier cast the dissenting vote.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Andrew C. Schlosser, to enact Ordinance No. 09-684-03 amending the Souderton Borough Subdivision and Land Development Ordinance No. 450 of 1978, as amended, by providing plan submittal requirements and master design standards for mixed-use developments in the High School Redevelopment Overlay District. The motion was approved.

A motion was made by Councillor Andrew C. Schlosser, and seconded by Councillor Jonathan Gardenier, to enact Ordinance No. 09-685-04 electing to withdraw the Souderton Borough Police Pension Plan from the Pennsylvania Municipal Retirement System; and further to approve execution of an Investment Advisory Agreement with TCG Investment Advisory, Incorporated to manage the assets of the pension plan. The motion was approved.

A motion was made by Councillor Jonathan Gardenier, and seconded by Councillor Andrew C. Schlosser, to enact Ordinance No. 09-686-05 electing to withdraw the Souderton Borough Non-Uniformed Pension Plan from the Pennsylvania Municipal Retirement System; and further to approve execution of an Investment Advisory Agreement with TCG Investment Advisory, Incorporated to manage the assets of the pension plan. The motion was approved.

A motion was made by Councillor Jeffrey Gross, and seconded by Councillor Andrew C. Schlosser, to adopt Resolution No. 2009-14 approving an application to the Delaware Valley Regional Planning Commission to become a Classic Town of the Philadelphia Region and committing to certain requirements of the Classic Towns of Greater Philadelphia Initiative. The motion was approved.

A motion was made by Councillor Jonathan Gardenier, and seconded by Councillor Brian Goshow, to adopt Resolution No. 2009-15 revising and establishing application fees, permit and inspection fees, recreational impact fees and certain escrow requirements. The motion was approved.

President John Young recognized Brian Binney of Andersen Engineering, who presented the proposed two lot subdivision plan for William Benner concerning property in the 200 block of Fairview Avenue. Councillor Edward Hunsicker expressed concern with the proposal to retain the existing nonconforming shed, he felt that this shed is in poor condition and should be demolished. Councillor Brian Goshow expressed concern with the overall height of the proposed dwelling in relation to the neighboring dwellings. The applicant's engineer explained the desire to construct the twin dwelling with walkout basements. The height and location of the dwelling conforms to the Zoning Ordinance. Considerable discussion was held concerning these issues and the remaining time to formally act on the proposal. Council suggested that the applicant review certain alternatives to address these concerns for further discussion at the Borough Council Work Session on September 14, 2009 with formal action deferred until September 21, 2009.

A motion was made by Councillor Richard Halbom, and seconded by Councillor Jeffrey Gross, to table action on the Plan of Subdivision prepared for William W. Benner, for property located on the south side of Fairview Avenue, and schedule a Special Meeting of Borough Council for Monday, September 21, 2009 to resume formal consideration of the Benner subdivision plan. The motion was approved.

A motion was made by Councillor Ned D. Leight, and seconded by Councillor Jeffrey Gross, to authorize the Borough Solicitor to prepare and advertise an ordinance authorizing a \$1,000,000 general obligation loan from Univest National Bank and Trust Company for the purchase of 160 Cherry Lane in Franconia Township. The motion was approved.

A motion was made by Councillor Jonathan Gardenier, and seconded by Councillor Richard Halbom, to authorize the advertisement of bids for the construction of a pavilion and landscaping at the Lawn Avenue Park. The motion was approved.

A motion was made by Councillor Jonathan Gardenier, and seconded by Councillor Andrew C. Schlosser, to adjourn to executive Session to consult with the Borough Solicitor on contractual matters.

Borough Council adjourned to executive session at 9:10 pm. Borough Council convened to public session at 9:55 pm and there being no further business, the meeting was promptly adjourned.

Respectfully submitted,

P. Michael Coll, Secretary

WORK SESSION MINUTES AND COMMITTEE REPORTS

Public Works Work Session – September 14, 2009 (7:00pm-8:35pm)

Council Attendees: John Reynolds, John Young, Ned Leight, Jeffrey Gross, Brian Goshow, Andrew Schlosser, Jonathan Gardenier, Richard Halbom and Edward Hunsicker. Junior Councillor Daniel Yocum.

Staff Attendees: Public Works Director Steven Coll, Borough Manager Michael Coll.

William Benner Subdivision, Fairview Avenue

William Benner and his engineer Brian Binney of Andersen Engineering attended the work session to discuss certain modifications to the Fairview Avenue subdivision plan, presented to Borough Council on September 8th. The applicants presented a revised plan to move the proposed new twin dwelling forward into the lot, reducing the overall building height by 1 ½ feet, and the walk out basement was deleted. Typical Bilco basement doors will be added for basement access, the grading encroachment waiver is no longer necessary and William Benner noted that he will remove the rear shed prior to final occupancy.

Considerable discussion was held concerning the overall practicality of the revisions in relation to the final home design without a desirable walk out basement. Members of Borough Council concluded that a reduction of only 1 ½ feet in building height did not justify the elimination of the walk out basement. Members of Borough Council also noted that it is more desirable to have the new dwelling in line with the neighboring homes. Borough Council and the applicants decided to move forward with the original subdivision proposal, with modifications to eliminate the need for the waiver request and a note on the plan confirming demolition of the rear shed. Formal consideration of this plan is scheduled for a Special Borough Council meeting on Monday, September 21st.

Souderton Lions Club Presentation, Scout Cabin Transfer

Representatives from the Souderton Lions Club, Gregory Muse, Mary Muse and Robert Musselman, attended the work session to discuss a possible transfer of the Scout Cabin property, which is contiguous to the Community Park, to the Borough. The Souderton Lions Club constructed and maintained the Scout Cabin since 1954. Gregory Muse commented that the average age of the club members is nearing 70 and the club has reached the point that they can no longer raise sufficient funds to cover the utility, maintenance and insurance costs on the building and property. Souderton Borough has been maintaining the lawn and snow removal for many years. The club had to borrow funds to cover recent expenses, but cannot carry the property through the winter. For the stated reasons, the Souderton Lions Club requested the Borough to consider accepting a transfer of title.

Gregory Muse noted that the Scout Cabin will then become a public building, available for use as Borough Council so designates. It is their hope that Borough Council will make every effort to preserve the use for the various scout troops. The Scout Cabin currently serves the Boy Scout Troop 401, two Girl Scout troops and one Cub Pack. During the school year, the cabin is used everyday, except Saturday evenings.

The general consensus of Borough Council members was to accept the transfer of ownership

and maintain its primary use as a Scout Cabin. The Borough manager was instructed to discuss this matter with the Borough Solicitor, particularly in regard to potential civil claims with scout troops using public buildings.

Act 32 Tax Collection Committee Appointment

Borough Council members discussed the requirement of Act 32 and the appointment of representatives to serve on the Montgomery County tax collection committee. Borough Council members agreed to appoint Borough Manager Michael Coll as the primary delegate and Souderton School District Director of Business Affairs, Robert P. Bruchak, as the alternate representatives.

1. Sanitation Committee

- a) The August, 2009 Discharge Monitoring Report will be filed with no exceptions to permit limitations. The plant continues to produce clean, quality effluent. A total of 8.5" of rainfall was recorded at the plant during the month.
- b) A report from Chief Operator Sal DeSimone was circulated to Council members. Plant personnel are working to clean out the "B" side of the treatment system in preparation for sandblasting and painting. Rainfall is hampering this effort. Mobile Dredging provided the lowest quote to remove sediment from the floor of the units. Gordon Bennett provided the best quotation for sandblasting, concrete repairs and painting. This is the same company that completed the "A" side two years ago. Plant personnel will have to replace four 2 1/2" air lines and at least 80 to 100 air diffusers. A structural repair will also have to be made to the clarifier arm. Clayton Landis will assist with fabrication and welding.
- c) Last month staff reported that Borough forces completed the replacement of the 10 inch sewer main along N Fifth Street. Crews reported that this segment of sewer main may be the worst infiltrated line that we have replaced in the Borough. The old line also had a number of in line wyes that were not used for lateral connections because grades did not align with the houses. All sewer trenches on Fifth Street were temporarily paved. Milling and paving the initial base course on Fifth Street will be scheduled later this fall after addressing some remaining storm drainage and curb and sidewalk issues.

Steve Coll reported that a major source of infiltration is coming from the six inch sewer line that runs behind the rowhomes in the 500 block of East Broad Street. The sewer main runs through a partially open alley from Fifth Street along the rear property lines of the rowhomes. Access will be very difficult because of sheds, fences and other obstacles that have been placed over the line. Crews will replace the first half of the main located in the open stone alley. Completion of the run will depend on the ability to gain right of way and access to the remaining rear yards. Comcast has run underground cable in this same area to service the homes on Valley Lane. The location of the cable lines may also complicate the project. Steve Coll also noted that some of the East Broad Street residents have expressed interest in considering the construction of a new through alley to the rear of the properties in place of the current alley directly behind their homes. This would enable a better use of rear yards and possibilities of constructing decks off the first floor.

- d) Steve Coll reported that Borough forces completed the installation of new sewer laterals for the twin dwelling under construction on Montgomery Avenue and S. Front Street. The builder has some curb and sidewalk to install, after which, permanent restoration of the trenches can be completed.

2. Highway Committee

- a) Steve Coll reported on projects completed by the public works crew during the past month. Brush collection, street painting and weeding and cleaning Main Street for the Uninvest Grand Prix dominated most of the crew time. Mowing of the parks continues to be strong given the amount of rainfall through the summer. Crews did begin some work on the Main Street Plaza, primarily removing defective wall cap, sidewalk and remaining construction debris so that the site is more presentable during the Uninvest Grand Prix.
- b) Allan Meyers reported some possible delay in paving East Broad Street. Originally they

scheduled paving for Thursday, September 17th, but recent rains will push the paving to Monday evening, September 21st. Borough forces have completed necessary manhole adjustments in preparation for paving.

- c) Blooming Glen Contractors will begin construction on the Borough's 2009 Road reconstruction program during the week of September 21st. Their schedule may also be affected by weather and they reported that they are experiencing mechanical problems with their milling machine which may delay work until later in the week. Notices have been distributed to all property owners along the five sections of road and the same notice appears on the Borough's web site.

3. Sidewalk Committee

- a) No new items were discussed.

4. Recreation Committee

- a) The next meeting of the Pool Renovation Committee has been scheduled for Wednesday, September 16th. The meeting will be between Borough Council committee members, YMCA representatives and Wayne Wade of Wade Associates. The meeting will expand on revisions to the conceptual plan to include construction of a new bathhouse at the corner of Wile Avenue and the entrance to the pool parking lot. This alternative was discussed at the August meeting, given the desire to address the current concession stand, desire to have a multipurpose room for private parties, and the summer day camp program and removal of the small guard building.
- b) Bids for the construction of the Lawn Avenue Pavilion project have been advertised with bids to be opened at 2:00 pm on Monday, September 28, 2009. The bids will be reviewed and tabulated with a recommendation to Borough Council for consideration at the October 5th Borough Council meeting. This is the last phase of the Boys and Girls Club project, funded in part by the State Redevelopment Assistance Capital Grant program. The project has generated significant bidder interest with 18 contractors picking up specifications.

5. Property Committee

- a) A significant roof leak occurred in the police station lobby that was recently repaired by Kitson Brothers. They examined the roof and isolated a few seams and flashing issues that required repair. The front canopy roof has also developed a rather significant leak, Kitson Brothers examined the roof and roof drains, determining that the leak is from a broken rain leader somewhere within the canopy. There are signs of multiple leaks from stucco damage along the canopy pillars. The Borough will have to cut access holes into the canopy to determine the extent of damage and necessary repairs.

Administrative Work Session – September 21, 2009 (7:30 pm-9:50 pm)

Council Attendees: Mayor John Reynolds, John Young, Jeffrey Gross, Brian Goshow, Andrew Schlosser, Jonathan Gardenier, Richard Halbom and Edward Hunsicker. Junior Councillor Daniel Yocum.

Staff Attendees: Borough Manager Michael Coll.

Special Borough Council Meeting

An advertised special meeting of Borough Council was held prior to the scheduled work session. The purpose of the special meeting was to formally consider the proposed subdivision plan of William Benner concerning property on Fairview Avenue. Please refer to the separate minutes for this meeting. Borough Council approved the plan with a condition to revise the proposed storm drain line between the two properties.

1. Police Committee

- a) At the last work session, Councillor Brian Goshow raised a concern with the new traffic signal at Main Street and Reliance Road, specifically with the timing for the yellow signal for both Reliance Road approaches. He noted that there is a very short yellow signal that does not provide enough time for vehicles to clear the intersection prior to the red signal. Committee members recommended that this concern be expressed to our Borough Engineer to evaluate the need to adjust the timing sequence.

Traffic Engineer Andrew Heinrich reported that the signal system is designed for 3 seconds of yellow and 3 seconds of all red, providing a total clearance interval of 6 seconds. He reported that Borough Council could consider going up to 4 seconds of yellow with the 3 seconds of all red to increase the clearance interval by one second, but this option would eliminate one second from the green interval, which is not desirable given the 5 approach intersection. After much discussion, a suggestion was made to consider increasing the all red interval by one second, leaving the yellow at the current 3 second interval. This suggestion will be forwarded to the Traffic Engineer for his comment.

- b) A concern was again raised by Pete DiStefano, 473 N Main Street, about the volume and speed of vehicles cutting through Duke Alley, possibly avoiding the signal. Members of Borough Council will discuss this matter directly with the adjoining residents to fully understand the nature of the issues. It was noted that this is an open public alley making it difficult to restrict its use whether or not it may be used to bypass an intersection. Other members of Borough Council continue to feel that the new traffic signal is operating very well and if anything should be contributing to a reduction in traffic through the alleys.
- c) Part time Police Secretary Doris Texter has announced her intention to retire at the end of this year. Ultimately, this position should transition into a full time position. Committee members will have to decide how to fill the void in the interim. A resume from an interested Borough resident has been submitted.
- d) Borough Solicitor Robert Bricker reported that arguments were heard before Judge Paul Tressler in the matter of the appeal of Thomas Lawson. Following conclusion of arguments, Judge Tressler ordered the matter dismissed with prejudice, as an untimely appeal. At this time the Solicitor is not sure if the ruling will be appealed.

2. Administrative Committee

- a) No new items were discussed.

3. Development Committee

- a) A current draft of the revised C-2 Limited Commercial Zoning District was distributed to Borough Council members. The Souderton Planning Commission has been working with our MCPC community planner, Hannah Mazzaccaro on this project. The C-2 District has been revised to allow for smaller boutique stores, café's and mixed use developments. Design standards have been incorporated to maintain the historical character of the neighborhoods and to better blend new developments with existing properties and uses. The Souderton Planning Commission will focus on moving this revised Zoning Ordinance forward for formal consideration of Borough Council later this fall.
- b) A meeting was held on September 9th at the Montgomery County Planning Commission office to review the progress on the Main Street Plaza project and more specifically to discuss the Borough's recent decision to terminate the contract with Landscape Designs, Incorporated. The Planning Commission was fully supportive of the decision and the desire of the Borough to complete the remaining project with Borough forces. The Borough will continue to document project expenses through the same itemization developed under the initial construction contract.

The Borough Manager provided members with the calculation of the final payment due to the contractor based on the contract prices, materials installed and verbal representations made with the contractor during the meeting to discuss the termination. Members of Borough Council expressed strong objections to paying the full contract price for the retaining wall cap,

concrete stairs and objected to the specified quantity for sidewalk. The final release will be adjusted accordingly.

Work is progressing rather nicely on the project. Crews have focused on completing the concrete stairs; handicapped access ramp and granite block curbing around the planting bed. Access from the plaza to the main entrance of the adjoining office building has been restored. The Borough's electrician inspected the conduit runs installed by the contractor and dressed up the remaining work to accommodate completion of the sidewalk and stone veneer facing on the retaining wall. Carl Stuart has begun installing the new flagstone wall cap and preparing the retaining wall for the stone facing. The mill stones for the fountains have been received under the initial contract. The Borough secured the remaining fountain components which will be installed early next week. Quotations for the plant material have been circulated and are due by October 2, 2009. The sculpture is expected to arrive and be installed during the week of October 12th.

- c) The Streetscape Planning Committee last met on August 13th. A copy of the latest conceptual plan was reviewed and discussed at the August work session. The most current conceptual sketch illustrated the potential of creating additional street parking along both the east and west sides of the street. The parking on the east side will require the Borough to obtain additional right of way from the property owners. Letters have been sent out to the three property owners on the east side of Main Street to ascertain whether there is support to consider granting the necessary additional right of way to move the sidewalk deeper into the front yards of the properties.

Borough Council members discussed concerns in delaying property owners along Main Street with the necessary direction for replacement of their sidewalks. A few property owners have expressed a desire to replace sidewalks, but because of the streetscape planning, they were asked to delay. Members requested the Borough Engineer to develop a plan whereby the Borough can facilitate requests of property owners to replace sidewalk now, designed in such a manner that it will adapt to future streetscape projects.

- d) In the fall of 2008, Borough Council accepted a proposal to subdivide a portion of the pool parking lot to be conveyed to the Borough Manager's property at 458 Wile Ave. Payment for the additional property would be through salary deferrals over a period extending up to five years. While the plan was endorsed, the Borough did not proceed with the formal process as outlined by the Borough Solicitor in a prior memorandum to Borough Council. The next step is to advertise the property for formal bids. Council members agreed to move forward with this step this fall. After the sealed bid process is complete, formal approval of the subdivision plan can move forward. It is our intention to complete this process in conjunction with the proposed swimming pool renovation project.
- e) Considerable discussion was held concerning the latest draft of the swimming pool renovation project. Wade Associates revised the conceptual plan to locate a new bathhouse at the corner of Wile Avenue and the entrance to the pool parking lot. Relocating the bathhouse opens space to enlarge the zero depth entry area of the upper pool and provide additional decking for patrons. This section will be one of the most used. The new bathhouse will include space for a new concession area, restrooms for the park, multi-purpose room, office and employee areas. The filter buildings currently located in the center of the two pools will be relocated to one consolidated building fronting along Reliance Road. This placement will free up usable court yard space between the pools, provide room for a larger slide, and increase opportunity for spectator seating along the competitive pool. Wade Associates provided a revised cost estimate of \$2.7 million for the expanded project. Committee members reached general consensus that this is the direction that should be pursued. The Borough Manager commented that the plan will be discussed with the Souderton Mennonite Home, Telford Borough and Franconia Township. A combination of municipal forces could be used to work on demolition and site work to reduce the overall projected project cost. Discussions with the Mennonite Home will center on the adjoining parcel that they acquired a number of years ago to supplement the parking lot.
- f) Souderton borough Council adopted a Resolution supporting the efforts of Main Streets in securing an Anchor Building Grant from the State for the Broad Theater project. The State program would assist in moving the Broad Theater project forward and create a revolving loan program that could be used for other projects. The State budget impasse will more than likely

eliminate this program or substantially reduce funding. The Broad Theater, through Main Streets, has made application under the new Montgomery County Economic Development Program for funding assistance to replace the Anchor Building Grant. The funding through Montgomery County is a combination of grants and loans, with the loan repaid back to Montgomery County. A Resolution similar to the Anchor Building program has been recommended for consideration by Borough Council to document Borough support for the project. This Resolution will be prepared for consideration at the October 5th Borough Council Meeting.

- g) Borough Council expressed concerns about maintenance of the former High School Building. The Borough Manager was instructed to contact Dr. Charles Amuso about these continuing concerns.
- h) Borough Council further discussed the proposal of the Souderton Lions Club to transfer ownership of the Scout Cabin property to the Borough. The general consensus of the members was to accept the transfer of ownership; however, prior to transfer, it would be desirable to make an effort to arrange for the replacement of the roof.

4. Finance Committee

- a) Borough Solicitor Robert Bricker has advertised the required ordinance for formal consideration at the October 5th meeting authorizing and approving the additional \$1,000,000 general obligation loan through Univest National Bank to finance the purchase of the Scholl property at 160 Cherry Lane in Franconia Township. Copies of the commitment letter from Univest, along with the Borrowing Base Certificate and debt Statement has been attached for your review. The Borrowing Base Certificate verifies that the Borough will still maintain sufficient room to consider financing for the pool project and will also have room to arrange any necessary financing for capital improvements at the waste water treatment plant.
- b) Souderton Borough, with assistance from Trollinger Consulting Group prepared all necessary documentation for the PMRS Board of Directors to formally act on our request to withdraw from the system at their recent meeting on September 17th. We are now working through the transition of pension assets and administration of the plan by the end of this month. A Pension Committee must be formed and will probably meet in October to begin planning for the enhanced benefits and the development of the minimum municipal obligation worksheets. The Committee will have representation from Borough Council and employee representatives from the Police Department, highway and waste water treatment plant.